

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TES FRANCHISING, LLC, et al.,	:	
	:	CIVIL ACTION
Plaintiffs,	:	
	:	
vs.	:	NO. 10-0017
	:	
J. ERIC DOMBACH, et al.,	:	
	:	
Defendants,	:	
	:	
vs.	:	
	:	
TERRY POWELL, et al.,	:	
Additional Defendants.	:	
	:	

ORDER

AND NOW, this 24th day of November, 2010, upon consideration of the Motion to Dismiss Amended Counterclaims filed on April 30, 2010 (Document No. 52), the Response by Counterclaim Plaintiff J. Eric Dombach filed May 17, 2010 (Document No. 54), and for the reasons set forth in the accompanying Memorandum,

IT IS ORDERED that the Motion to Dismiss is **DENIED**.

BY THE COURT:

/s/ Henry S. Perkin
HENRY S. PERKIN
United States Magistrate Judge